

VOS-30

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Examiner : Not yet assigned  
Group Art Unit : Not Yet Assigned  
Applicants : Leszek Wojnowski, et al.  
Application No. : 10/070,587 Confirmation No.: 7615  
Filed : March 8, 2002  
For : POLYMORPHISMS IN THE HUMAN CYP3A4 AND  
CYP3A7 GENES AND THEIR USE IN DIAGNOSTIC  
AND THERAPEUTIC APPLICATIONS

New York, New York  
July 10, 2002

Hon. Commissioner for Patents  
P.O. Box 2327  
Arlington, Virginia 22202

RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Sir:

In accordance with the Notification of Missing  
Requirements Under 35 U.S.C. 371 dated May 10, 2002,  
applicants herewith submit:

an Oath and Declaration of the inventors, in  
compliance with 37 C.F.R. 1.497(a) and (b), and a check in the  
amount of \$65.00 as surcharge;

a paper copy of a Substitute Sequence Listing;

EK708047793US

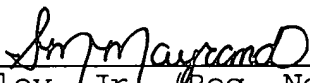
a Statement in Support of Amendment to Sequence Listing Under 37 C.F.R. § 1.825(a) and in Support of Computer Readable Form Submission Under 37 C.F.R. § 1.825(b); and

two copies of a computer readable form (CRF) of the Substitute Sequence Listing.

A copy of the May 10, 2002 Notification of Missing Requirements Under 35 U.S.C. 371 is also enclosed.

The Director is hereby authorized to charge any additional fee that may be due, or to charge any overpayment, to Deposit Account No. 06-1075. A duplicate copy of this Reply is enclosed for that purpose.

Respectfully submitted,

  
\_\_\_\_\_  
James F. Haley, Jr. (Reg. No. 27,794)  
Jane T. Gunnison (Reg. No. 38,479)  
Attorneys for Applicants  
Shawn-Marie Mayrand (Reg. No. 48,986)  
Agent for Applicants  
FISH & NEAVE  
c/o Fish & Neave  
(Customer No. 1473)  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000  
Fax.: (212) 596-9090

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 July 10, 2002

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 P.O. Box 2327  
 Arlington, Virginia 22202

07/26/2002 LLA:NDRA 0000036 10070507

01 FC:254

65.00 00

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ a Response to Notification of Missing Requirements (in duplicate); ☒ an Executed Oath and Declaration; ☒ a Substitute Sequence Listing; ☒ Two Copies of a Computer Readable Form (CRF) of Substitute Sequence Listing, ☒ a Statement for Substitute Sequence Listing; ☒ a check for \$65.00; ☒ a copy of Notification to File Missing Requirements to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[ ] A fee for additional claims is not required.

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The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	* =	X \$ 9 =	\$
INDEPENDENT CLAIMS	-	** =	X \$ 42 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$140 =	\$
			TOTAL	\$ <u>          </u>

\* If less than 20, insert 20.

\*\* If less than 3, insert 3.

[ ] A check in the amount of \$\_\_\_\_\_ in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

[ ] The following extension is applicable to the Response filed herewith; [ ] \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$200.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [ ] \$460.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$720.00 extension fee for response within fourth month pursuant to 37 C.F.R.

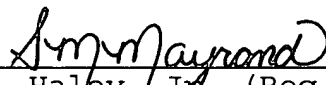
§ 1.136 (a); [ ] \$980.00 extension fee for response within fifth month pursuant to 37 C.F.R. 1.136(a).

[ ] A check in the amount of [ ] \$55.00; [ ] \$200.00; [ ] \$460.00; [ ] \$720.00; [ ] \$980.00; in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge the [ ] \$55.00; [ ] \$200.00; [ ] \$460.00; [ ] \$720.00; [ ] \$980.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

  
\_\_\_\_\_  
James F. Haley, Jr. (Reg. No. 27,794)  
Jane T. Gunnison (Reg. No. 38,479)  
Attorneys for Applicants  
Shawn-Marie Mayrand (Reg. No. 48,986)  
Agent for Applicants  
FISH & NEAVE  
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New York, New York 10020-1104  
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Examiner : Not yet assigned

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Applicants : Leszek Wojnowski, et al.

Application No. : 10/070,587 Confirmation No.: 7615

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THERAPEUTIC APPLICATIONS

New York, New York  
July 10, 2002

Hon. Commissioner for Patents  
P.O. Box 2327  
Arlington, Virginia 22202

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EK708047793US  
Date of Deposit: July 10, 2002

I hereby certify that this certification and the following papers:

1. a Transmittal Letter (in duplicate);
2. a Response to Notification of Missing Requirements (in duplicate);
3. an Executed Oath and Declaration;
4. a Substitute Sequence Listing;
5. Two Copies of a Computer Readable Form (CRF) of Substitute  
Sequence Listing;
6. a Statement for Substitute Sequence Listing;
7. a check for \$65.00; and

EK708047793US

8. a copy of Notification to File Missing Requirements.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Hon. Commissioner for Patents, P.O. Box 2327, Arlington, Virginia 22202, BOX PCT.

July 10, 2002

Name:

William Bailey  
William Bailey



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,587	Leszek Wojnowski	VOS-30

1473  
FISH & NEAVE  
1251 AVENUE OF THE AMERICAS  
50TH FLOOR  
NEW YORK, NY 10020-1105

INTERNATIONAL APPLICATION NO.	
PCT/EP00/08570	
I.A. FILING DATE	PRIORITY DATE
09/01/2000	09/10/1999

CONFIRMATION NO. 7615  
371 FORMALITIES LETTER



\*OC000000008048698\*

Date Mailed: 05/10/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination

*July 10, 2002*

**RECEIVED**

MAY 17 2002

FISH & NEAVE - PATENT DEPT.  
REFERRED TO *SSM*  
NOTED BY *SSM*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR**

EK708047793US



**THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- o The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- o For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- o \$65 Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,587	PCT/EP00/08570	VOS-30